

COUNTY OF YORK

MEMORANDUM

DATE: November 25, 2003 (BOS Mtg. 12/16/03)

TO: York County Board of Supervisors

FROM: James E. Barnett, County Attorney

SUBJECT: Back Creek Sewer Project

As with most utility projects, in the Back Creek sewer project, there are several easements we need to obtain for the project that for various reasons cannot be immediately obtained by voluntary conveyances. Fortunately, so as not to unduly hinder or prevent projects such as water or sewer that are designed to benefit an entire community, state law permits the Board, after the adoption of an ordinance or resolution following a public hearing, and the subsequent recordation of certificates of take, to enter upon and take the easements necessary for the project, prior to formal condemnation proceedings being initiated. The recordation of such a certificate binds the County to pay the owners at least the amounts set out in the Board's resolution. The figures reflected in the attached resolution are based on appraisals prepared by staff and reviewed by the County Assessor, and represent the most recent offers made for the easements.

In the Back Creek sewer project, the following have been identified as the remaining easements that need to be acquired:

Official Tax Map No. 25-39-C
Property of Diane S. Nickerson, Elwood B. Banks,
Evelyn P. Banks, Wallace E. Banks, and Joyce C. Banks

Official Tax Map Nos. 25-208 & 25-189
Property of Margaret Barber, a/k/a Margaret Barbour,
and Pearl Thornell

Official Tax Map No. 25-216
Property of Ronald L. Byrd

Official Tax Map No. 25-185B
Property of Diane Teel and Donald Teel

Official Tax Map No. 25-180
Property of Floyd T. Wood, Robert White Wood,
Richard Norman Wood, and Anna Jane Wood
(Estate of Jessie G. Woods)

Official Tax Map No. 25-167
Property of Mary S. Sherwood Estate

Official Tax Map No. 25-173A
Property of Kent A. Stevens

Official Tax Map Nos. 25-157A & 25-158
Property of Tomi R. McNamara

Official Tax Map Nos. 25-181, 25-182, 25-184, & 25-185C
Property of Shirley F. Lemonds and Linda F. Ryan

Official Tax Map No. 25-178
Property of William D. Robinson, et ux

Official Tax Map No. 25-177
Property of Kenneth W. Rodney, et ux

I have attached for your consideration a proposed resolution that will authorize the filing of certificates of take and the entry onto the properties for the purpose of constructing the needed utilities thereon. The easements are shown on the plats, copies of which are also attached.

Barnett/3340:sw
Attachments: Plats, Resolution R03-188